



RIVERTON CITY REGULAR CITY COUNCIL MEETING AGENDA

January 15, 2013

Notice is hereby given that the Riverton City Council will hold a **Regular City Council Meeting** beginning at **6:30 p.m.** on **January 15, 2013**, at Riverton City Hall, located at 12830 South 1700 West, Riverton, Utah.

1. GENERAL BUSINESS

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Presentations/Reports
 1. Riverton Choice Awards for Excellence in Education – Riverton High School
4. Public Comments

2. STAFF REPORTS

1. Lance Blackwood, City Manager
2. Safety Training – *Ryan Carter, City Attorney*

3. PUBLIC HEARINGS – 6:30 p.m., or as soon after as practicable

1. **Public Hearing** – Proposed Amendment of Ordinance 18.90 Table of Commercial Usage chart, proposed amendment changing “auto dealership (new or used)” from ‘not permitted’ to ‘permitted’ in the commercial downtown zone- Chris Dugan, Applicant – *Jason Lethbridge, Planning Manager*
 1. **Ordinance No. 13-01** – Amending Ordinance 18.90 Table of Commercial Usage chart, proposed amendment changing “auto dealership (new or used)” from ‘not permitted’ to ‘permitted’ in the commercial downtown zone. Chris Dugan, Applicant – *Jason Lethbridge, Planning Manager*

4. DISCUSSION/ACTION ITEMS

1. **Commercial Site Plan** – ABC Great Beginnings Daycare - located at 12523 South 4150 West, CR Zone, Johnny Anderson, Applicant – *Jason Lethbridge, Planning Manager*
2. Planning Commission Member – Appointment of new Planning Commission Member in District 4 - *Mayor Bill Applegarth*

5. CONSENT AGENDA

1. **Minutes:** RCCM 12-04-12
2. **Bond Releases:**
 1. AutoZone – 90% Performance
 2. Riverton Meadows Lot 5 - 90% Performance
 3. Texas Roadhouse 90% - Performance
 4. Western Springs Phase 5B- 90% Performance
3. **Resolution No. 13-01** – Authorizing the execution of a Contract with GBS Benefits, Inc. to provide insurance brokering services
4. **Resolution No. 13-02** – Authorizing the execution of a Delay Agreement with Daniel K. and Gaylene Phister for property located at 1567 West 12800 South

6. MAYOR/COUNCIL REPORTS

1. Mayor Bill Applegarth

2. Council Members**7. UPCOMING MEETINGS**

1. January 22, 2013 – City Council Work Session 6:30 p.m.
2. January 29, 2013 – City Council Work Session 6:30 p.m.
3. February 5, 2013 – Regular City Council Meeting 6:30 p.m.

8. CLOSED SESSION

1. Discussion of pending or reasonably imminent litigation
2. Discussion of the purchase, exchange, or lease of real property

9. ADJOURN

Dated this 11th day of January 2013

Virginia Loader

Virginia Loader, MMC
Riverton City Recorder

Public Comment Procedure

At each Regular City Council Meeting any person wishing to comment on any item not otherwise on the Agenda may address the Governing Body during the Public Comment period. The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to no more than three (3) minutes, unless additional time is authorized by the Mayor. Citizen groups will be asked to appoint a spokesperson, who shall limit their comments to no more than five (5) minutes. All comments shall be directed to the Mayor and City Council. No person addressing the Governing Body during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate or dialogue with the Mayor, City Council or City Staff during the meeting.

The public is encouraged to participate in all City Meetings; therefore, Riverton City will make reasonable accommodations for those needing assistance to participate in our meetings. Requests for assistance may be made by contacting the City Recorder's Office at 801-208-3126, providing at least 48 hours advance notice of the meeting. Accessible parking and entrance are located on the south end of the building with elevator access to the City Council Chambers located on the second floor.

Certificate of Posting

I, Virginia Loader, the duly appointed and acting Recorder for Riverton City certify that, at least 24 hours prior to such meeting, the foregoing City Council Agenda was emailed to the Salt Lake Tribune, Deseret News and the South Valley Journal. A copy of the Agenda was also posted in the City Hall Lobby, on the City's Website at www.rivertoncity.com, and on the Utah Public Meeting Notice Website at <http://pmn.utah.gov>.

Dated this 11th day of January 2013

Virginia Loader, MMC
Recorder



Issue Paper

Item No 3.1

Presenter/Submitted By:	Jason Lethbridge, Planning Manager		
Subject: ORDINANCE AMENDMENT, 13-01, AMENDING ORDINANCE 18.90, TABLE OF COMMERCIAL USAGE CHART, PROPOSED AMENDMENT CHANGING "AUTO DEALERSHIP (NEW OR USED)" FROM 'NOT PERMITTED' TO 'PERMITTED' IN THE COMMERCIAL DOWNTOWN ZONE, CHRIS DUGAN, APPLICANT	Meeting Date: January 15, 2013		
	Fiscal Impact: N/A		
	Funding Source: N/A		
Background: This is an application for an amendment to Riverton City's Table of Commercial Usage Chart, which lists types and categories of commercial uses and indicates whether they are permitted, not permitted, or conditional in the various commercial zones. Currently, auto dealerships for new or used vehicles are not permitted in any commercial zones except the Commercial Regional Zone. The applicant is requesting that this use be permitted in the Commercial Downtown Zone.			
Recommendation: On January 10, 2013, the Planning Commission voted to recommend APPROVAL of this Ordinance Amendment.			
Recommended Motion: I move the City Council ADOPT Ordinance #13-01, amending Riverton City Ordinance 18.90, The Table of Commercial Usage Chart, changing 'Auto Dealership (New or Used)' from 'Not Permitted' to 'Permitted' in the Commercial Downtown zone.			

**RIVERTON CITY
MEMORANDUM**

TO: Honorable Mayor and City Council

FROM: Planning Department

DATE: January 15, 2013

SUBJECT: ORDINANCE AMENDMENT, AMENDING ORDINANCE 18.90, TABLE OF COMMERCIAL USAGE CHART, PROPOSED AMENDMENT CHANGING "AUTO DEALERSHIP (NEW OR USED)" FROM 'NOT PERMITTED' TO 'PERMITTED' IN THE COMMERCIAL DOWNTOWN ZONE, CHRIS DUGAN, APPLICANT

On January 10, 2013, the Planning Commission voted to recommend APPROVAL of this Ordinance Amendment. The Planning Commission recommended approval of the text change, but as a *conditional* rather than a permitted use as the applicant requested. A Record of Motion is included below. The Planning Commission recommended the following motion:

I move the City Council ADOPT Ordinance #13-01, amending Riverton City Ordinance 18.90, The Table of Commercial Usage Chart, changing 'Auto Dealership (New or Used)' from 'Not Permitted' to 'Conditional' in the Commercial Downtown zone.

BACKGROUND:

This is an application for an amendment to Riverton City's Table of Commercial Usage Chart, which lists types and categories of commercial uses and indicates whether they are permitted, not permitted, or conditional in the various commercial zones. Currently, auto dealerships for new or used vehicles are not permitted in any commercial zones except the Commercial Regional Zone. The applicant is requesting that this use be permitted in the Commercial Downtown Zone.

One of the main reason certain types of businesses are restricted in the locations where permitted is the potential impacts to the commercial area and to the surrounding properties. The Planning Commission should consider carefully whether an auto dealership of any scale is both appropriate to the downtown area as a use, and what potential impacts such a business may create to adjacent properties. Most of the remaining, undeveloped land in the downtown area is adjacent or in close proximity to single family residential uses, and auto dealerships can create significant impacts to surrounding properties, such as exterior lighting.

The Planning Commission recommended approval of this ordinance amendment, but recommended the use be made *Conditional* in the C-D zone. This would require any potential dealership to apply for a Conditional Use permit prior to site plan development, and would allow additional conditions to be placed on the development to mitigate potential impacts. It does not, however, typically allow the City to deny the use, but only for conditions to be placed on the development.

PL No. _____

Date _____

Application

Ordinance / General Plan Amendment

A. Applicant's Name Chris Dugan
Home Address 11817 So 3700 W
City Riverton State ut Zip 84065
Telephone # _____ Mobile # 801 910-9303 Fax # _____

B. Ordinance Amendment


1. Ordinance Section and Title _____
2. Reason for Request I would like to add a permitted use in the zone to allow for car dealers (used & new) in the "down town" district I believe it is a good fit for some of the business in the zone already
3. Proposed Text Change to allow car dealers (used & new)

C. General Plan Amendment

1. General Plan Section _____
2. Reason for Request _____
3. Proposed Text Change _____

Submit Attachments as Needed

Please refer to the attached Ordinance, 12-200-010 Amendments, for complete application requirement details. See attached Application Fee Schedule for required fees.


Applicant's Signature

11-6-12
Date

You will receive a letter following the City Council meeting providing the status of your application

Planning Commission Record of Motion

Meeting Date: January 10, 2013

Item: Ordinance Amendment

Agenda Item# 1A

	Brian Russell	Dennis Hansen	Kent Hartley	James Penney	Taylor Morrill		Larry Brown
Motion	✓						✓
Second	✓						

Motion: Motion # 1 (if multiple motions)

I move the Planning Commission recommend ~~DENIAL~~ ^{APPROVAL} of the proposed amendment to Riverton City Ordinance 18.90, The Table of Commercial Usage Chart, changing 'Auto Dealership (New or Used)' from 'Not Permitted' to 'Permitted' in the Commercial Downtown zone.

Conditional

VOTE:

	Brian Russell	Dennis Hansen	Kent Hartley	James Penney	Taylor Morrill	Scott Kochevar	Larry Brown
AYE	✓	✓	✓	✓	✓	✓	✓
NAY							
ABSTAIN							

☒ PASS
☐ FAIL

Chapter 18.90 TABLE OF COMMERCIAL USES

Sections:

18.90.010 Table of commercial uses.

18.90.010 Table of commercial uses.

Table of Commercial Uses

Permitted Uses, Uses Not Permitted, and Conditional Uses

P = Permitted

NP = Not Permitted C = Conditional

The written text as found in this title shall supersede any attachments or tables.

LAND USE	C-D	C-G	C-N	C-PO	C-R
Apparel alteration and shoe repair	P	C	C	NP	P
Apparel and accessories retail and rental (apparel, accessories, tailoring, fur, shoes)	P	P	NP	NP	P
Artists and related services	C	C	NP	C	P
Auto parts retail	C	C	NP	NP	P
Auto dealership (new or used)	NP	NP	NP	NP	P
Automobile repair and related services	C	NP	NP	NP	P
Bakeries (including donut shops, delicatessens)	P	P	C	NP	P
Banking services (banks, credit unions, etc.)	P	P	NP	P	P
Beauty and barber services	P	P	C	P	P
Bed and breakfast	P	P	C	C	P
Books, stationery, art/hobby supplies retail	P	P	C	C	P
Bus passenger terminal	C	NP	NP	NP	P
Business, professional and finance consulting	P	P	C	P	P
Car wash, auto or self-serve (unless automatic car wash as part of a gasoline service station)	C	NP	NP	NP	P
Car wash, automatic as part of a gasoline service station	C	C	NP	NP	P
Check cashing businesses	NP	NP	NP	NP	C
Construction services	NP	NP	NP	NP	P

RIVERTON CITY, UTAH
ORDINANCE NO. 13-01

AN ORDINANCE AMENDING RIVERTON CITY LAND USE SECTION 18.90, TABLE OF COMMERCIAL USAGE CHART, CHANGING "AUTO DEALERSHIP (NEW OR USED)" FROM 'NOT PERMITTED' TO 'CONDITIONAL' IN THE COMMERCIAL DOWNTOWN ZONE, CHRIS DUGAN, APPLICANT

WHEREAS, the Riverton City Planning Commission has received public input and made a recommendation regarding the above listed amendment; and,

WHEREAS, the City Council has held a public hearing to consider said amendment; and,

WHEREAS, the Riverton City Council has determined that it is in the best interest of the public to amend Riverton City Land Use Code Section 18.90, Table of Commercial Usage Chart, as described below.

NOW THEREFORE, BE IT ORDAINED by the City Council of Riverton City, Utah as follows:

Section 1. The Riverton City Land Use Code, Section 18.90, Table of Commercial Usage Chart shall be, and hereby is, amended as follows;

- **"Auto Dealerships (New or Used)" is changed from 'Not Permitted' to 'Conditional' in the Commercial Downtown (C-D) Zone.**

Section 2. This ordinance shall take effect upon passage.

PASSED AND APPROVED by the City Council of Riverton, Utah, on this 15th day of January, 2013 by the following vote:

Council Member Sheldon Stewart	_____	Yes	_____	No
Council Member Brent Johnson	_____	Yes	_____	No
Council Member Al Leavitt	_____	Yes	_____	No
Council Member Tracy Thaxton	_____	Yes	_____	No
Council Member Roy Tingey	_____	Yes	_____	No

RIVERTON CITY

[SEAL]

ATTEST:

Bill Applegarth, Mayor

Virginia Loader, MMC
City Recorder



Issue Paper

Item No 4.1

Presenter/Submitted By:	Jason Lethbridge, Planning Manager		
Subject: COMMERCIAL SITE PLAN, ABC GREAT BEGINNINGS DAY CARE, 12523 SOUTH 4150 WEST, C-R ZONE, JOHNNY ANDERSON, APPLICANT.	Meeting Date: January 15, 2013		
	Fiscal Impact: N/A		
	Funding Source: N/A		
Background: Johnny Anderson has submitted an application requesting approval of ABC Great Beginnings, a commercial daycare to be located at 12523 South 4150 West. The property is currently zoned C-R (Commercial Regional) and is vacant ground. To the east property is zoned R-1 (Residential 1 acre lots) but is utilized as a church meetinghouse and ball field. To the south property is zoned C-R and is utilized as a fire station. To the west property is zoned C-R and PU (Public Utility) and are occupied by an existing bank / office building and the new Riverton City Public Works facility. To the north property is zoned C-R and is currently utilized as agricultural.			
Recommendation: On January 10, 2013, the Planning Commission voted to recommend APPROVAL of this Commercial Site Plan application.			
Recommended Motion: I move that City Council APPROVE the ABC Great Beginnings commercial site plan, application number PL-11-8006, located at 12523 South 4150 West with the conditions outlined in the staff report.			

**RIVERTON CITY
MEMORANDUM**

TO: Honorable Mayor and City Council

FROM: Development Review Committee

DATE: January 15, 2013

SUBJECT: COMMERCIAL SITE PLAN, ABC GREAT BEGINNINGS DAY CARE, 12523 SOUTH 4150 WEST, C-R ZONE, JOHNNY ANDERSON, APPLICANT.

PL NO.: 12-8010 – ABC GREAT BEGINNINGS DAYCARE SITE PLAN

On January 10, 2013, the Planning Commission voted to recommend APPROVAL of this Commercial Site Plan application. A record of motion and comment is included below. The Planning Commission specifically added Condition #8 below. The Planning Commission recommended the following motion:

I move that City Council APPROVE the ABC Great Beginnings commercial site plan, application number PL-11-8006, located at 12523 South 4150 West with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Add a minimum of 5 new tree species to the landscape plan.
5. Submit a landscape plan that has been stamped by a Utah licensed landscape architect.
6. Dumpster enclosure shall utilize the polyurethane panels that are “full brick” and colored to resemble brick utilized on the building.
7. The applicant / business owner shall be responsible for maintaining adequate onsite traffic management to avoid queuing or overflow onto 4150 West.
8. Six (6) foot high solid fencing be installed on the perimeter of the property.

BACKGROUND:

Johnny Anderson has submitted an application requesting approval of ABC Great Beginnings, a commercial daycare to be located at 12523 South 4150 West. The property is currently zoned C-R (Commercial Regional) and is vacant ground. To the east property is zoned R-1 (Residential 1 acre lots) but is utilized as a church meetinghouse and ball field. To the south property is zoned C-R and is utilized as a fire station. To the west property is zoned C-R and PU (Public Utility) and are occupied by an existing bank / office building and the new Riverton City Public Works facility. To the north property is zoned C-R and is currently utilized as agricultural.

The proposed daycare will occupy an 80,600 square foot parcel with the building located at the

center. Parking areas are located to the west and access to the development will be gained from 4150 West, a publicly owned and maintained roadway. Two accesses into the site are provided into the parking area from 4150 south. It is anticipated that parents dropping off children will enter the southern access, drive north through the parking lot and exit at the northernmost access. A traffic study has been conducted and submitted to Riverton City indicating anticipated vehicular stacking during the heaviest traffic times involving pick up and drop off between 4:00 and 7:00 p.m. and 6:00 and 9:00 a.m., respectively. Based upon this study it is not anticipated that vehicles will be stacking onto 4150 West. It should also be noted that this is not a pre-school with set class times. Children drop-off will be staggered as parents' schedules vary. Condition #7 above requires that the applicant and / or business owner will be responsible for maintaining a pick-up and drop-off system that avoids stacking of cars onto 4150 West.

The site has plenty of landscaping in the parking area and to the east of the building where the play areas are located. Staff still has some concerns regarding the landscaping plan. Riverton City is encouraging tree species diversity in new development in order to halt the spread of disease that easily occurs in overplanted tree varieties. Staff has added condition number 4 that requires a minimum of 5 different tree species be added to the landscape plan, replacing some of the proposed trees.

Building architecture as proposed meets minimum architectural requirements as set forth in the C-R zone. The building is a daycare and utilizes features that emphasize a school building. The entrance into the uses red colored siding and a faux bell tower that bear resemblance to the "Little Red School Building." The remainder of the building exterior is composed of a red brick wainscot along the base and tan stucco above. The roof lines are high pitched with decorative dormers breaking up the large expanse of asphalt shingles.

The dumpster enclosure being proposed by the applicant is one composed of aluminum posts and polyurethane planks molded into different styles. The ordinance requires that dumpster enclosures resemble the building in appearance, therefore, this material may be utilized as long as the style selected matches the building. Staff is recommending that full brick panels be used in the enclosure. Condition #6 addresses this.

Fencing is a not as significant an issue with this development as in others where the commercial site is directly adjacent to residential uses. The only residentially zoned property is the R-1 parcel to the east. However, the property is not utilized as residential but as a church meeting house and sport field. The ordinance does require 8' solid masonry when commercial is adjacent to residential, however, the church is not a residential use and therefore brings into question the relevance of 8' solid masonry in this situation. The Planning Commission recommended six foot solid fencing, which would allow vinyl or other materials other than masonry, on the perimeter of the site.

Riverton City Planning, Water and Engineering divisions as well as the Unified Fire Authority are recommending approval of this commercial site plan with the conditions listed above.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Site Plan application
2. An 8½"x11" copy of the Zoning Map

3. An 8 ½ "x11" copy of the Aerial Views
4. An 11"x17" copy of the Commercial Site Plan
5. An 11"x17" copy of the Landscape Plans.
6. An 11"x17" copy of the building elevations
7. An 11"x17" copy of the subdivision.



PL No. 12-8010
Date 10/25/2012

Application

Site Plan

A. Applicant's Name Johnny Anderson
Home Address 4289 S. El Camino
City Taylorsville State UT Zip 84129
Telephone # _____ Mobile # 801-209-7574
E-mail Address johnny@abcgreatbeginnings.com Fax # _____

B. Primary Contact Person Kellirae Long
Address 5818 Sunny Stone Cir.
City South Jordan State UT Zip 84095
Telephone # 801-253-2737 Mobile # 801-971-3098
E-mail Address c.k.long@comcast.net Fax # _____

C. Project Information

- Name of Proposed Business ABC Great Beginnings - Riverton
- Address 12523 S. 4150 W. Riverton, UT 84065
- Description of the Proposed Business Professional child care center for ages 6 weeks - 12 years old.
- Sidwell/Tax ID# _____ Total Acreage of the Site 1.85
- Current Zoning of the Proposed Site _____
Zoning of Adjacent Parcels: North _____ South _____ East _____ West _____
- Current Use of the Land _____
- Number of Existing Structures _____
- Describe the Proposed Use and Structures for the Site _____
- Did this Project Require a Rezone? Yes / ☒ No If Yes, PL# _____
- Did this Project Require a Conditional Use Permit? Yes / ☒ No If Yes, PL# _____

By signing this application, I acknowledge that I have read and understood the application, ordinances, checklists, etc. associated with this application, and that any and all required drawings, plans, and other submittals are included and complete. All drawings and plans, and the proposed development, must comply with the requirements of the Engineering Plan Review Checklist, Riverton City Standards and Specifications, and all applicable Riverton City ordinances and standards.

Kellirae Long
Applicant's Signature

10-25-12
Date

You will receive a letter following the Planning Commission and City Council meeting providing status of your application

S:\Planning\Applications\Site Plan.doc Revised 07/08

ABC GREAT BEGINNINGS DAYCARE SITE PLAN

Aerial View



Riverton City
Public Works

Proposed
Location

Bank

Fire

Church

W 12600 S

12600 South

4000 West

W 12600 S

ABC GREAT BEGINNINGS DAYCARE SITE PLAN

Zoning Map



C-R

Public
Utility →



Subject
Property
(C-R)

R-1

C-R

C-R

C-R

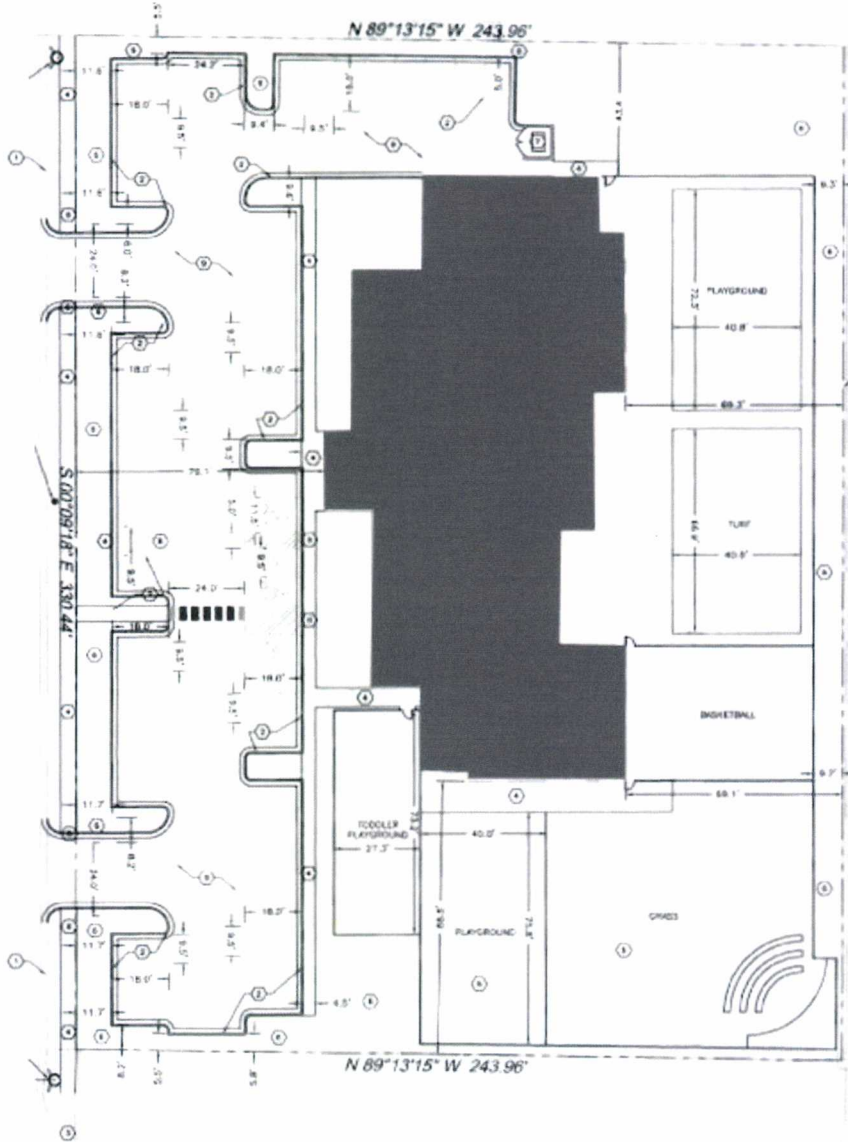
12600 South

PCC

4000 West

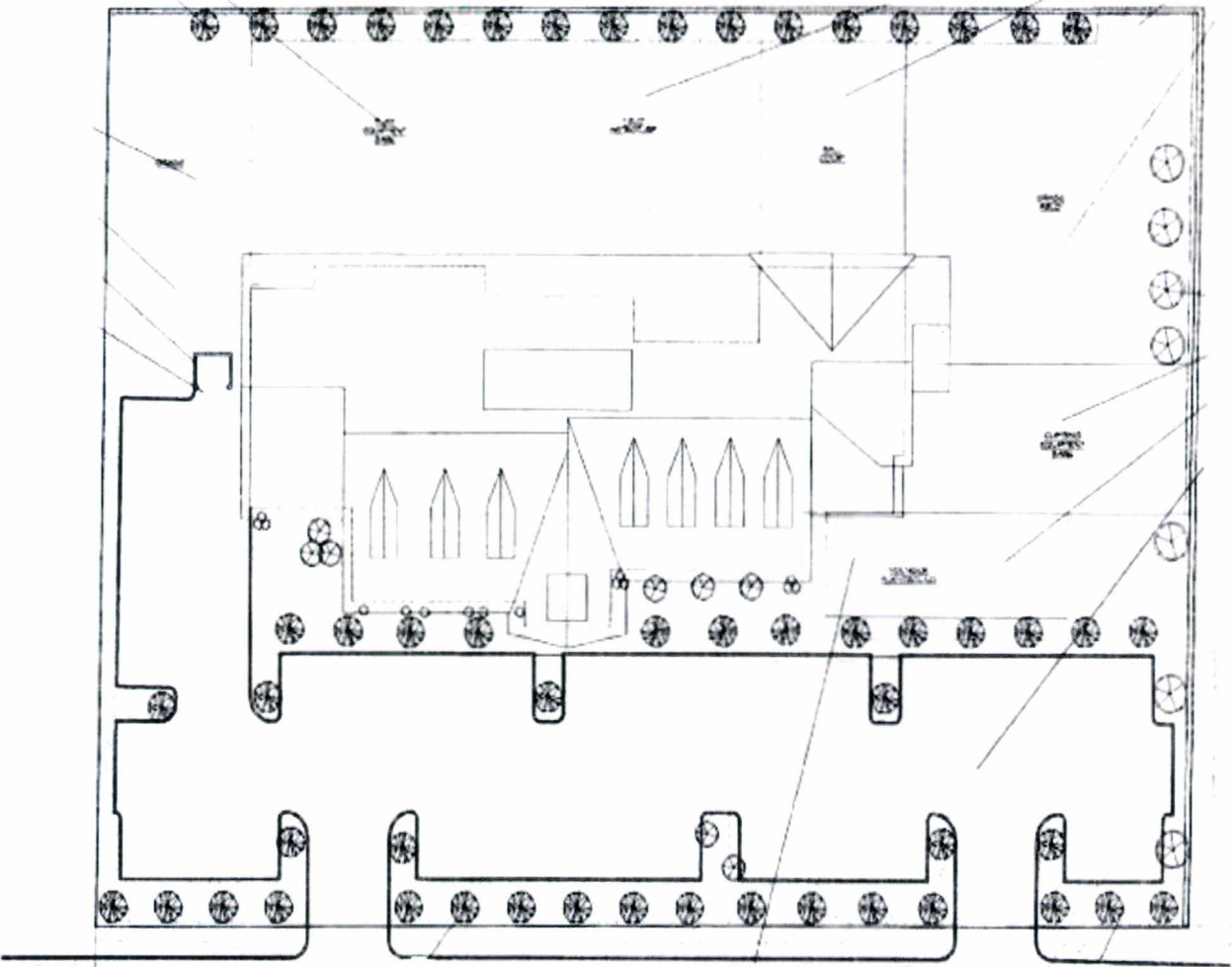


Proposed Site Plan



SEE
AND MATCH
4150 WEST STREET

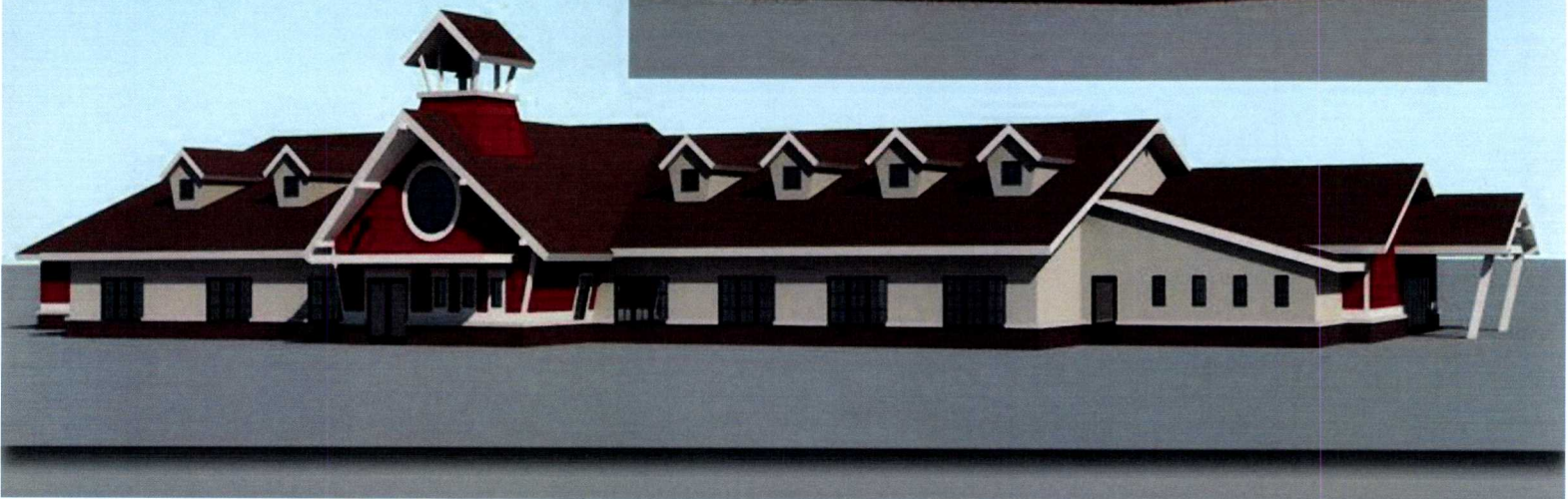
ABC Great Beginnings Landscape Plan



4150 West

***ABC Great
Beginnings Daycare
Architecture***

West Facade



A NEW DESIGN FOR
ABC GREAT BEGINNINGS

RIVERTON, UT

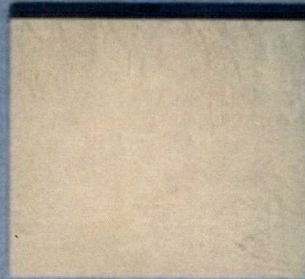
Brick



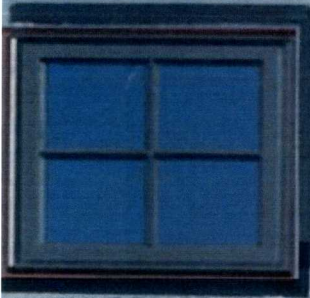
Shingles



BRICK VENEER



Stucco



WINDOW COLOR
Windows



SIDING COLOR
Siding

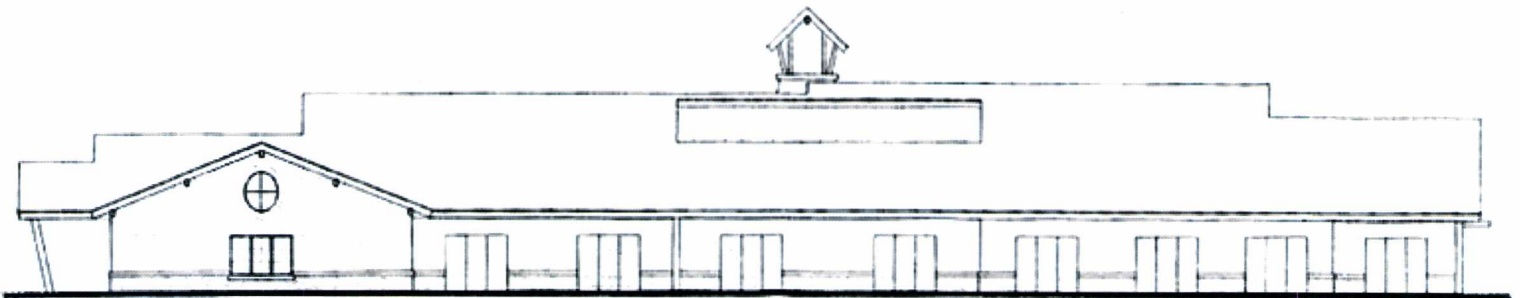
UP WALL
DESIGN

1025 EAST HOLLYWOOD AVE. S.L.C. UT (801)485-0708

**Materials
Board**

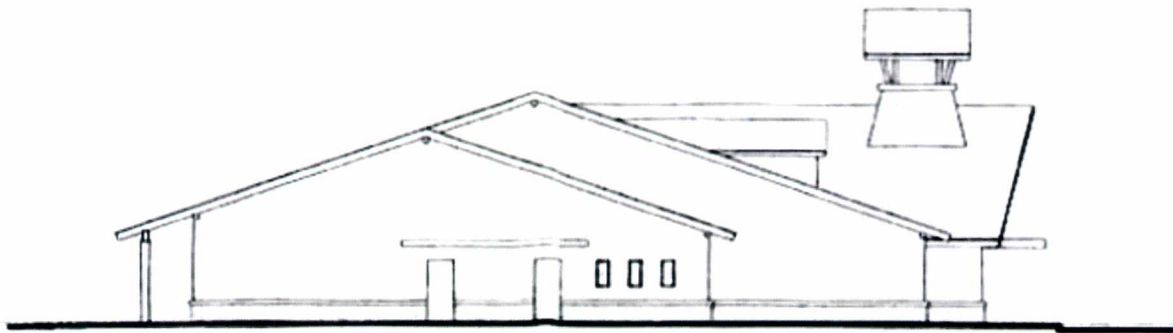


Front Elevation (West Side)

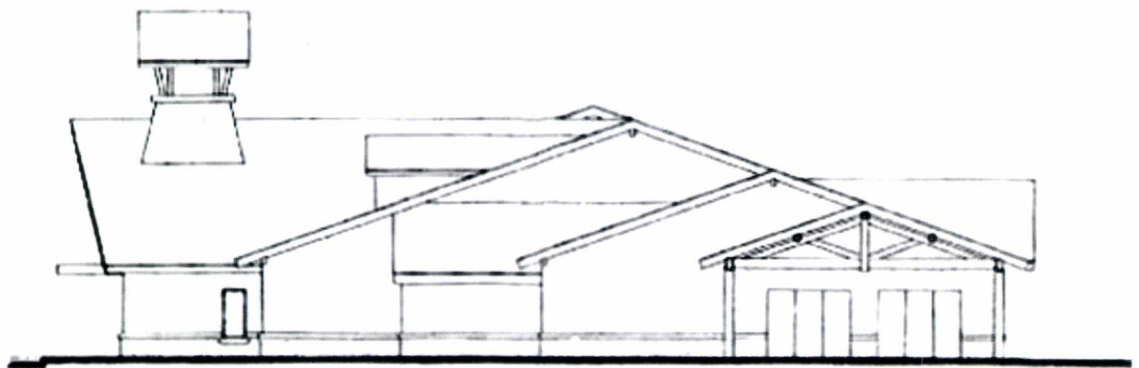


Rear Elevation (East Side)

**North
Elevation**



**South
Elevation**



Planning Commission Record of Motion

Meeting Date: January 10, 2013

Item: ABC Great Beginnings Daycare Site Plan

Agenda Item# 1D

	Brian Russell	Dennis Hansen	Kent Hartley	James Denney	Taylor Morrill		Larry Brown
Motion	✓						
Second		✓					

Motion: Motion # 1 (if multiple motions)

I move that the Planning Commission recommend approval of the ABC Great Beginnings commercial site plan, application number PL-11-8006, located at 12523 South 4150 West with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Add a minimum of 5 new tree species to the landscape plan.
5. Submit a landscape plan that has been stamped by a Utah licensed landscape architect.
6. Dumpster enclosure shall utilize the polyurethane panels that are "full brick" and colored to resemble brick utilized on the building.
7. The applicant / business owner shall be responsible for maintaining adequate onsite traffic management to avoid queuing or overflow onto 4150 West.

8. *Solid 6' high fencing along perimeter of property*

VOTE:

	Brian Russell	Dennis Hansen	Kent Hartley	James Denney	Taylor Morrill		Larry Brown
AYE	✓	✓	✓	✓	✓		✓
NAY							
ABSTAIN							

☒ PASS
☐ FAIL



Issue Paper

Item No. 5

Presenter/Submitted By:	Mayor Applegarth		
Subject: Consent Agenda	Meeting Date: January 15, 2013		
	Fiscal Impact:		
	Funding Source:		
Background: 5. CONSENT AGENDA			
Recommendation: Approve the Consent Agenda.			
Recommended Motion: "I move the City Council approve the Consent Agenda as presented."			

Riverton City
REGULAR CITY COUNCIL MEETING
Minutes
Tuesday, December 4, 2012

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor William R. Applegarth

Council Members:

Council Member Brent Johnson-*Excused*
Council Member Al Leavitt
Council Member Sheldon Stewart-*Excused*
Council Member Tracy Thaxton
Council Member Roy Tingey

City Staff:

Lance Blackwood, City Manager
Ryan Carter, City Attorney
Virginia Loader, Recorder
Jason Lethbridge, Planning Manager
Jeff Hawker, Asst. City Manager
Trace Robinson, Public Works Director
Lisa Dudley, Finance Director
Rod Norton, UPD Chief
Kevin Hicks, Accounting Services Manager
Trish Dixon, Accountant
Jiny Proctor, Accountant
Stephen Elms, Treasurer

Citizens: Michael Johnson, Wyoma Darlington, Phil and Judy Lloyd, Rhonda Lopez, Kyle Stocking, Craig Stocking, Stuart Fjord, Rachelle Fjord, Boyd Brown, Kirby Kirkman, Brenda Newman, Mr. Green.

1. GENERAL BUSINESS

6:31:16 PM **Call to Order and Roll Call** - Mayor Applegarth called the meeting to order at 6:30 p.m. and welcomed those in attendance. He then conducted a Roll Call, and Council Members Leavitt, Thaxton and Tingey were present. Council Members Johnson and Stewart were excused.

Pledge of Allegiance –Webelos Troop 4105 directed the Pledge of Allegiance

6:34:23 PM Boy Scouts from Troops 1202, and 4035 introduced members of their Troops and their leaders. Mayor Applegarth and Council Members addressed questions from the Boy Scouts and issued assignments to the Troops.

Presentations/Reports:

Annual D.A.R.E. T-shirt Design Contest Winner

6:37:44 PM Chief Rod Norton, Officer Lopez and Mayor Applegarth presented an “Outstanding

Citizen Award” to Emery Evans, Midas Creek Elementary School, who designed a new D.A.R.E. Graduate T-shirt for schools and COP programs. On behalf of the City Council, Council Member Thaxton offered congratulations to Miss Evans.

Government Finance Officers Association (GFOA) Comprehensive Annual Finance Report (CAFR) Award and Popular Annual Finance Report (PAFR) Award

6:43:45 PM Danyce Steck, Utah Chapter-GFOA President, presented a Certificate of Achievement for Excellence in Financial Reporting to Riverton City from the Government Finance Officers Association of the United States and Canada (GFOA) for its Comprehensive Annual Financial Report (CAFR). She explained that the Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by the City and its management.

Ms. Steck presented the award to Lisa Dudley, Finance Director, with acknowledgement to Finance Staff Kevin Hicks, Jiny Proctor, Trish Dixon and Stephen Elms in the Finance Department.

Popular Annual Finance Report (PAFR) Award

Ms. Steck then announced that Riverton was one of four cities in the State of Utah that qualified for PAFR award. This is an award for a more simplified version of the CAFR and is easily read by non-finance professionals. The purpose of this award is to provide an avenue of communications and trust with the citizens regarding the financial position of the city.

Mayor Applegarth commended Lisa Dudley and the Finance Department for their efforts and thanked them on behalf of the City and the Council.

4. DISCUSSION/ACTION ITEMS

Resolution No. 12-66 - Acknowledging Receipt and Expressing Approval of the 2013 Tentative Budget of the Salt Lake Valley Law Enforcement Service Area and the Law Enforcement Service Plan for the areas within the Salt Lake Valley Enforcement Service Area

6:51:04 PM Jim Bradley, Salt Lake County Council Member, explained that as the Salt Lake Valley Law Enforcement Service Area moves forward with its first full year budget process with Riverton as a member, SLVLESA Board members would like to address the Riverton City Council regarding the 2013 budget for the organization. Utah State Law 17B-2a-903 requires that SLVLESA obtain the prior consent of the municipal councils represented by SLVLESA prior to implementing a property tax adjustment. Although the Board is not anticipating a property tax increase for 2013, the Board has directed staff to visit with each municipal council annually as part of the budget process as part of SLVLESA’s ongoing commitment to openness and transparency.

6:52:49 PM Council Member Al Leavitt **MOVED** the City Council approve **Resolution No. 12-66** acknowledging receipt and expressing approval of the 2013 Tentative Budget of the Salt Lake Valley Law Enforcement Service Area and the Law Enforcement Service Plan

1 **for the areas within the Salt Lake Valley Law Enforcement Service Area.** Council Member
2 Tracy Thaxton **SECONDED** the motion. Mayor Applegarth called for discussion on the motion;
3 there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Excused,
4 Leavitt-Yes, Stewart-Excused, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

5
6 Mayor Applegarth acknowledged Kerri Nakamura, Staff, of SLVESA.

7
8 **Comprehensive Annual Finance Report (CAFR) for Fiscal Year Ended June 30, 2012 -**
9 **Hansen, Bradshaw, Malmrose & Erickson**

10
11 [6:53:54 PM](#) Finance Director, Lisa Dudley explained the audit process as being a lengthy
12 process. This year a new firm was selected through the RFP process. Ms. Dudley stated that the
13 transition has been smooth for both the City and the Auditors. While all audit firms follow the
14 same set of standards, having a fresh set of eyes has been very rewarding to the City this year.

15
16 Ms. Dudley said that the City is required to have an outside CPA firm audit the City's financials
17 on an annual basis. She introduced Ed Erickson and Rob Wood, of Hansen, Bradshaw, Malmrose
18 & Erickson, the independent firm selected to perform this year's audit.

19
20 [6:57:37 PM](#) Ed Erickson, Audit Partner, commended Finance Director Lisa Dudley for her
21 knowledge and understanding of the budget and audit process and her ability to provide accurate
22 records. He also commended the preparation of the CAFR, which he said is above and beyond
23 what is expected. He further stated that less than a third of the cities in Utah receive the CAFR
24 award.

25
26 Mr. Erickson said that the results of the audit procedure disclosed no material instances of non-
27 compliance with the requirements. He referred to his firm's opinion statements found on pages
28 13 & 14 of the final report. He ended his remarks by stating that Riverton is the only city his firm
29 works with that has prepared the PAFAR report.

30
31 [7:03:57 PM](#) Rob Wood, Audit Manager, commended Lisa Dudley and the Finance Department
32 for their expertise and knowledge of the budget process and audit preparation. He stated that in
33 addition to the CAFR report there are two additional reports that the city falls under. One is a
34 report on internal controls over financial reporting and compliance issues with state laws, federal
35 regulations, grants, contracts and so forth. Additionally a report is required by the State of Utah
36 for compliance with budgeting, purchasing requirements, B & C Road Funds, Justice Court and
37 so forth. These two reports are issued in a separate report as presented to the Council.

38
39 He then presented the Fiscal Year Comprehensive Annual Financial Report (CAFR) for Year
40 Ended June 30, 2012. He stated that there was only one minor issue with the over budget
41 expenditures item. With this one minor exception the findings are that we are complying with all
42 of the state legal requirements and there are no other issues. He remarked that it has been a
43 pleasure working with our Finance Department and the Administrative and Senior Staff
44 Members.

Resolution No. 12-65 - Accepting the Fiscal Year 2012 Comprehensive Annual Finance Report (CAFR) for Riverton City

7:06:06 PM Council Member Tracy Thaxton **MOVED** the City Council approve **Resolution No. 12-65 - accepting the Fiscal Year 2012 Comprehensive Annual Financial Report for Riverton City**. Council Member Al Leavitt **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

Public Comments - Mayor Applegarth called for public comments.

There were no additional public comments and Mayor Applegarth closed the Public Comment period.

2. STAFF REPORTS

Lance Blackwood, City Manager – Moved to end of meeting.

Safety Training Report - Ryan Carter, City Attorney –Moved to end of meeting.

3. PUBLIC HEARINGS – 6:30 p.m., or as soon after as practicable

7:08:21 PM Mayor explained the purpose and process of a Public Hearing focusing on the specific rolls of the Mayor, the Council and the Public in these types of proceedings.

3.1 Public Hearing – Proposed rezone for approximately 4.0 acres located at 13249 S Redwood from RR-22 (Rural Residential ½ acre lots) to RM-6 (Residential Multi-Family 6 Units per Acre) – Boyd Brown, Applicant

7:13:52 PM Jason Lethbridge, Planning Manager, explained that Boyd Brown originally submitted an application requesting that Riverton City rezone 4.04 acres located at 13249 South and 13269 South Redwood Road from the existing zoning of RR-22 (Rural Residential ½ acre lots) to RM-6 (Residential Multi-Family six dwelling units per acre). The surrounding properties on the north, south and east are all zoned RR-22 and are all utilized in similar manner to the properties requesting the zoning change. To the west on the adjacent side of Redwood Road properties are also zoned RR-22.

Mr. Lethbridge further explained the original application was recommended for denial by the Planning Commission. Following the Planning Commission's action, but prior to a hearing with the City Council, the applicant modified the application, adding additional properties and changing the requested zoning from RM-6 to RM-8. This required that the application be reviewed and new action be taken by the Planning Commission prior to a hearing with the City Council. The RM-8 zone requires a minimum of 5 acres to qualify for rezone. The applicant, with the additional properties, controls 4.6 acres, with an additional .4 acre property proposed to be rezoned by the City but owned by U.D.O.T. and not controlled by the applicant. While the City may in action on a rezone chose to include additional properties not covered by the original application or acknowledged by the property owner, even were the U.D.O.T. parcel included in

1 the rezone there is no indication that the applicant would be able to acquire the parcel and
2 include it within the developed project. Therefore, the applicant's proposed project area does not
3 qualify under the area requirements of the ordinance for zoning at RM-8. The original request
4 for rezone to RM-6, which requires only three (3) acres minimum for rezone, does meet that
5 minimum for consideration. The Council may modify the proposed motion to consider the
6 application at RM-6 (6 units per acre).

7 Mr. Lethbridge reported that on May 24, 2012, the Planning Commission recommended denial
8 of the Rezone Application.

9
10 City Attorney, Ryan Carter recommended to proceed with Public Hearing portion of this item.
11 He also suggested Council Members may want to continue this item at a later date when all
12 members of the Council are present.

13
14 7:20:03 PM Boyd Brown, applicant explained the proposed zoning change he is requesting is
15 within the Master General Plan. He presented a rendering of a site plan and commented on the
16 positive response he has received. Mr. Brown asked for the Council to approve his application to
17 an RM-6 Zone with the following conditions.

- 18 1. That it be limited to single family detached homes only.
- 19 2. Limitations of 1400 square feet minimum on the rambler style main level. Also a
20 minimum of 1600 square feet minimum on the two story.
- 21 3. Good Architect standards with increased stone or brick exteriors in the frontage
- 22 4. Design to include larger lots on the east of the project to make a buffer between Redwood
23 Road and some of the smaller lots.
- 24 5. Masonry fencing to separate from existing property owners

25
26 7:26:36 PM Mr. Brown discussed the percentage of ramblers by estimating that 65- 70% of the
27 houses he proposes to build would be ramblers. He also stated that there would be about 5 units
28 per acre.

29
30 7:29:18 PM Mayor Applegarth discussed the advantage of placing restrictions on lots in a zoning
31 hearing is that it ties to the land. If the restrictions are only placed on the site plan, they may be
32 amended or changed easily. Additionally Council may elect to place restrictions on placing
33 rambler's specific areas of this project.

34
35 7:31:23 PM Craig Stocking is in support of Mr. Brown and the zoning for single family houses.
36 He does not feel complaints have been compelling enough to deny the rezone. He feels the
37 proposed rezone will increase the value of his property by 20- 25%. He also feels this would be
38 beneficial to other neighbors and property owners immediately adjacent to his property.

39
40 7:38:06 PM Mayor Applegarth opened a Public Hearing and called for public comments.

41
42 7:38:37 PM Un-identified resident wants to keep zoning for animals. He doesn't care what Mr.
43 Brown builds but is fearful that new property owners would take away his right to have animals
44 if that is not protected now.

45
46 7:39:25 PM Bob Ford a Redwood Road resident states that he and several other property owners
47 living between 12800 South and the Bangerter, from the East Side of Redwood Road to the
48 river, have formed a citizens group. They have taken a more pro active approach and feel the

1 problem is that the Master Plan has changed. He feels that the zoning has not changed to reflect
2 the intent of the Master Plan, rather the zoning has changed based on the will of the people in
3 this area. His group called the Riverton Heritage Group would like to be involved in a work
4 session with the Council to discuss the Master Plan. He stated that they are prepared with a
5 detailed presentation, what vision and direction they would like to see the Master Plan adopt.

6
7 7:43:45 PM George Lane a resident of 13400 South near Redwood since 1960. He is concerned
8 about the potential traffic increase. These changes will affect his property and is opposed to this
9 rezone change.

10
11 7:45:13 PM Unidentified resident of 13200 South and Redwood Road is opposed to the rezone.
12 He feels that ½ acre lots are selling just fine and that there is no need rezone to smaller lot sizes.

13
14 7:46:29 PM Mark Newman is in support of Bob Ford and the Heritage Group. He recommends
15 that staff meet with this group to come up with something good. He also supports the Stockings
16 and wants them to be able to receive the most value for their property. He does not feel that this
17 proposed rezone is the right plan. He wants any changes to be compatible with animals that are
18 already in place.

19
20 7:49:00 PM Jill Coy is not ready to give control of property to allow a sewer line to be run
21 through it. She does not want the rezone and feels that her property should remain ½ acre lots.
22 There is enough room to create 8 ½ acre lots on this piece and that is her preference.

23
24 7:50:06 PM Bus Kemp a 25 year resident is not in support of the rezone. He feels that elbow
25 room is more important and wants to maintain the ½ acre lot standard in this neighborhood.

26
27 7:52:41 PM Rochelle Muir states that Riverton Elementary School at 93% maximum capacity. If
28 this rezone is completed all children from this location would be attending an already crowded
29 school. She is also concerned about the animal rights with current residents and feels that this
30 rezone is not compatible.

31
32 7:55:20 PM Mayor Applegarth stated that he appreciated all the public comments regarding the
33 concerns for increased traffic, animal rights, crowded schools, off street parking, elbow room
34 and many other concerns.

35
36 7:56:17 PM Douglas Larsen feels that this rezone should not happen. As a real estate
37 professional, he feels that this type of change should follow the demands of the area. Home
38 prices in Utah are just now stabilizing after a 30% drop. Home prices are down 2% in
39 Riverton from last year. He is against more small homes on small lots and feels that this
40 neighborhood should not change its zoning. There is not a demand for small houses on small lots
41 in Riverton.

42
43 7:59:40 PM Jody Hall's concern is security and she opposes the zoning change.

44
45 There were no additional comments and Mayor Applegarth closed the Public Hearing.

46
47 8:00:58 PM Attorney Ryan Carter informed council members that Planning Commission
48 Minutes are available on the City's web site.

Ordinance No. 12-27 - Rezoning approximately 4.0 Acres located at approximately 13250 South Redwood Road from RR-22 (Rural Residential ½ Acre Lots) to RM-6 (Residential Multi-Family Eight Units per acre), Boyd Brown, Applicant

8:02:29 PM Council Member Al Leavitt **MOVED** the City Council *Deny* Ordinance No. 12-27, proposed rezone of approximately 4.4 acres located at 13250 South Redwood Road from RR-22 (Rural Residential ½ acre lots) to RM-6 (Residential Multi-Family 6 units per acre maximum density). Council Member Tracy Thaxton **SECONDED** the motion.

8:03:12 PM City Attorney Ryan Carter explained that Planning Commission had previously voted unanimously to deny this same request. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused, Thaxton-Yes and Tingey-Yes. **The motion passed, the rezone was denied.**

8:04:13 PM Mayor Applegarth requested that we schedule a discussion regarding the Master Plan be placed on the Agenda for the January 15, 2013 meeting. He added that he feels the Master Plan should match the zoning.

8:14:12 PM Brief Break

3.2 Public Hearing – Proposed amendments to the Budget for the 2012-2013 Fiscal Year

8:20:56 PM

Mayor Applegarth explained that budgets are estimates and from time to time it may be necessary to amend the City's budget. With proper noticing, a Public Hearing is required when amending the budget. He said the Public Hearing was noticed for November 13, 2012, but was continued at that meeting. He then opened a Public Hearing and called for public comments.

There were no additional comments and Mayor Applegarth closed the Public Hearing.

8:20:56 PM

Resolution No. 12-63 – Adopting an Amended Budget for the 2012-2013 Fiscal Year

Council Member Tracy Thaxton **MOVED** the City Council adopt Resolution No. 12-63 – Amending the Budget for the 2012-2013 Fiscal Year. Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused, Thaxton-Yes and Tingey-Yes. **The motion passed.**

3.3 Public Hearing - Amending Ordinance 18.225, Accessory Buildings, proposed changes clarifying allowed exterior materials and zoning required for maximum height on large lots, amendment proposed by Riverton City

8:21:31 PM Jason Lethbridge, Planning Manager, explained a proposed amendment to Riverton City's ordinances regarding accessory structures. Riverton City recently made a major update to the accessory building ordinance. As the new ordinance has been applied, there have been

several questions and concerns come to light with the updated language. Staff is proposing several changes, which range from clarification in the text to additional materials that were not contemplated in the original ordinance. He said the Public Hearing was noticed for November 13, 2012, but was continued at that meeting.

Mr. Lethbridge said that on November 29, 2012, the Planning Commission voted to recommend adoption of Ordinance No. 12-26, amending Section 18.225, Accessory Buildings, with the following changes:

1. Section 18.225.040.B.1 shall be amended to read as follows: "On property of at least one (1) acre and zoned RR-22, R-1, or A-5, the maximum height shall be twenty-five (25) feet."
2. Section 18.225.040.B.2 shall be amended to read as follows: "On property of at least one (1) acre and zoned RR-22, R-1, or A-5, a second story may be allowed, provided that no residential dwelling or kitchen facilities are included, nor may the structure be rented or otherwise used as a separate dwelling."
3. Section 18.225.040.C.3 shall be amended to read as follows: "Accessory structures greater than 1,200 square feet shall include a minimum of 25% of the exterior in masonry such as brick or stone same type, coloring, and/or style as on the main dwelling."
4. Section 18.225.040.C.3.a shall be added, to read as follows: "On property of at least one (1) acre and zoned RR-22, R-1, or A-5, split-face or honed block may be used in place of stucco or other materials, but may not be substituted for any required brick, stone or other masonry consistent with that used on the home."
5. Section 18.225.060.A shall be amended to read as follows: "Covered carports and other such vehicle covers are permitted."

8:27:26 PM Mayor Applegarth opened a Public Hearing and called for public comments.

There were no additional comments and Mayor Applegarth closed the Public Hearing.

Ordinance No. 12-26 - Amending Section 18.255, Accessory Buildings, proposed changes clarifying allowed exterior materials and zoning required for maximum height on large lots, amendment proposed by Riverton City

8:27:36 PM Council Member Tingey commented on the language and requested that the ordinance read "a minimum of three sides".

8:28:31 PM Council Member Roy Tingey **MOVED** the City Council approve **Ordinance No. 12-26 – Amending Ordinance 18.225, Accessory Buildings, with the changes outlined in the Staff Report with one exception to include the restriction of the number of enclosed sides to say a minimum of three sides.** Council Member Tracy Thaxton **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused, Thaxton-Yes and Tingey-Yes. **The motion passed.**

4.3 Final Commercial Site Plan – Larkin Mortuary and Funeral Home, 3688 West 12600 South, C-R Zone, Rob Larkin, Applicant

1 8:29:39 PM Jason Lethbridge, Planning Manager, explained Rob Larkin submitted an
2 application requesting final site plan approval for a mortuary and funeral home to be located at
3 Lot #1 of the Spring Creek Commercial Development at 3688 West 12600 South. The property
4 is zoned C-R (Regional Commercial) and is currently vacant. Properties to the north and west
5 are also zoned C-R and are currently vacant. To the south property is zoned C-R and is utilized
6 as the IHC Riverton Hospital. To the east property is zoned RR-22 (Rural Residential ½ acre
7 lots) and is utilized as single-family residential. These properties are master planned for
8 Regional Commercial.

9
10 Mr. Lethbridge said that on November 29, 2012, the Planning Commission specifically added
11 Conditions 5-6 and recommended approval of #12-8009, the Larkin Mortuary Final Site Plan,
12 located at 3688 West 12600 South with the following conditions:

- 13
- 14 1. Storm drainage systems and accommodation comply with Riverton City standards
15 and ordinances, and with the recommendations of the Riverton City Engineering
16 Division.
- 17 2. An interim storm drainage and erosion control plan and an access management plan
18 be approved by the City prior to any construction or grading on the site.
- 19 3. The site and structures comply with any and all applicable Riverton City standards
20 and ordinances, including the International Building and Fire Codes.
- 21 4. Cross-access and cross-construction easements be finalized and recorded
22 guaranteeing perpetual access across lot 1 via main drive aisles to lot #5 to the
23 north, lot #2 to the west and future commercial parcels to the east.
- 24 5. Access easements and legal access points granted by applicant.
- 25 6. Second access provided on site at time of construction.
- 26

27 8:35:31 PM Rob Larkin, Vice President of Larkin Mortuary and Funeral home explained that
28 there will be office space, and viewing and funeral service facilities with a chapel. Additionally a
29 small flower shop will be located on the south end of the building.

30
31 8:36:36 PM Council Member Al Leavitt **MOVED the City Council approve PL#12-8009, the**
32 **Larkin Mortuary Final Site Plan, located at 3688 West 12600 South with the Conditions**
33 **outlined in the Staff Report.** Council Member Tracy Thaxton **SECONDED** the motion. Mayor
34 Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote.
35 The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused, Thaxton-Yes and
36 Tingey-Yes. **The motion passed unanimously.**

37
38 **4.4 Commercial Site Plan – Crest Commercial – Nuttalls Learning Center, located at 12500**
39 **South Doreen Drive, C-D Zone, Jordan H. Bangerter and Rhonda Lopez of Nuttall Inc.,**
40 **Applicants**

41
42 8:37:28 PM Jason Lethbridge, Planning Manager, explained Jordan Bangerter and Nuttall
43 Incorporated submitted an application for Commercial Site Plan approval of an office, retail and
44 learning center at 12500 South Doreen Drive. The property is zoned C-D (Commercial
45 Downtown) and is currently vacant. To the north property is zoned R-4 (Residential 10,000
46 square foot lots) and is currently utilized as single-family residential. To the east on the adjacent
47 side of Doreen Drive property is zoned C-D and is utilized as retail commercial. To the south
48 property also zoned C-D and is occupied by the Mountain America Credit Union. To the west

property is zoned RM-8-D (Residential Multi-family 8 units per acre downtown) and is currently vacant. The application splits lot 3 of the Mountain America Riverton Subdivision into lots 3A and 3B. Lot 3 originally totaled 2.55 acres, lot 3A will total 1.29 acres and lot 3B will total 1.26 acres, both exceed the minimum 1 acre lot size requirement for lots in the C-D Zone.

Mr. Lethbridge said that on November 29, 2012, the Planning Commission voted to recommend approval of Site Plan Application PL#11-8006, of the Crest Commercial-Nuttalls Learning Center Site Plan, located at 12500 South Doreen Drive, with the following conditions:

1. Storm drainage systems and accommodation comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
4. Cross-access and cross-construction easements be finalized and recorded guaranteeing perpetual access across lot 3B via main drive aisle to lot 3A to the north. ~~The access easement shall also extend to the west along the drive aisle north of the Nuttall building to the RM-8-D property to the west.~~
5. Architectural appearance of future building at northwest corner of parcel 3A shall resemble the other office building on the same pad in form, materials and appearance.
6. The access road be engineered for the commercial seller.
7. Parapet variations meet City standards.
8. All rooftop equipment to be screened by parapet walls.

8:50:25 PM Council Member Al Leavitt **MOVED** the City Council approve PL#11-8006, of the Crest Commercial-Nuttalls Learning Center Site Plan, located at 12500 South Doreen Drive, with the Conditions outlined in the Staff Report with the exception of the second sentence of Condition 4, to be removed. Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

5.5 Final Commercial Site Plan – Burt Brothers Tires, 13728 South Redwood Road, C-G Zone, Howard Kent, Applicant

8:51:34 PM Jason Lethbridge, Planning Manager, explained Howard Kent submitted an application for final site plan approval for a Burt Brothers Tires sales and service center to be located in the Bangerter-Redwood Master Site Plan at the north west corner of the intersection of Bangerter Highway and Redwood Road or 13728 South Redwood Road. The property is zoned C-G (Commercial Gateway) as are all of the surrounding properties in the commercial development. There are residential properties nearby, however, the Burt Brothers site is located at the center of the overall development and is buffered from the residential zones by additional vacant commercial property.

Mr. Lethbridge reported that on November 29, 2012, the Planning Commission voted to

1 recommend approval of Final Site Plan PL#12-8006, the Burt Brothers Tires Final Site Plan,
2 located at 13728 South Redwood Road with the following conditions:

- 3
- 4 1. Storm drainage systems and accommodation comply with Riverton City standards
5 and ordinances, and with the recommendations of the Riverton City Engineering
6 Division.
- 7 2. Any rooftop and ground level mechanical equipment be adequately screened from
8 view.
- 9 3. An interim storm drainage and erosion control plan and an access management plan
10 be approved by the City prior to any construction or grading on the site.
- 11 4. The site and structures comply with any and all applicable Riverton City standards
12 and ordinances, including the International Building and Fire Codes.
- 13 5. The storm water detention pond north of the subject property shall be landscaped
14 with sod, cobble, and trees. Landscape plan shall be submitted and approved by
15 Riverton City Planning Department prior to construction.
- 16 6. Secure vehicle storage area west of the building shall be constructed with a solid
17 masonry fence resembling the dumpster enclosure gate in material and appearance.
18 The gate shall be solid metal or vinyl. Chain link shall not be permitted.
- 19

20 [8:54:27 PM](#) Council Member Leavitt asked questions about the placement of the windows on the
21 front of the building. Currently they are placed to extend to the ground level.

22
23 [8:55:28 PM](#) Council Member Tingey requested a picture showing the back and side of the
24 building and asked questions regarding the proposed landscaping plans. Mr. Lethbridge
25 explained with the detention pond on the northeast corner of the property, a substantial amount
26 of landscaping along the frontage will occur.

27
28 [8:57:32 PM](#) Council Member Tracy Thaxton **MOVED the City Council approve PL#12-8006,**
29 **the Burt Brothers Tires Final Site Plan, located at 13728 South Redwood Road with the**
30 **Conditions outlined in the Staff Report.** Council Member Roy Tingey **SECONDED** the
31 motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a
32 Roll Call Vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused,
33 Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

34
35 **4.6 Site Plan – Green Well Pump Station, Public Utility Structure, Approximately 1050 W**
36 **12300 S, Riverton City**

37
38 [8:58:45 PM](#) Jason Lethbridge, Planning Manager, explained Riverton City is proposing the
39 construction of a Public Utility Building, located at approximately 1050 West 12300 South,
40 within the Roi Hardy Park. The building will house a well and related equipment for the
41 Riverton City Water Department.

42
43 Mr. Lethbridge reported that on November 29, 2012, the Planning Commission voted to
44 recommend approval of Site Plan Application PL#12-8012, the Public Utility Site Plan for the
45 Greenwell Pump Station, located at approximately 1050 West 12300 South, with the following
46 conditions:

- 47
- 48 1. Brick and other material colors be consistent with the adjacent public utility structure.

2. The site and structure be enclosed in a black, vinyl coated chain link fence, to match the existing fencing in the area.

3. Installation and construction comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.

9:03:19 PM A discussion regarding the materials used for fencing on the pump houses took place.

9:04:23 PM Council Member Tracy Thaxton **MOVED the City Council approve PL#12-8012, the Public Utility Site Plan for the Green Well Pump Station, located at approximately 1050 West 12300 South, with the Conditions outlined in the Staff Report.** Council Member Al Leavitt **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

5. CONSENT AGENDA

9:04:53 PM Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM 11-13-12
2. **Bond Releases:** N/A
3. **Resolution No. 12-64** - Adopting Annual Meeting Schedules for the Year 2013
4. **Resolution No. 12-67** - Authorizing the Mayor to sign an Agreement Addendum with Jay K. Roberts & Shelly A. Roberts for the payment of cost to cure for landscaping at their residence located at 4191 West 13400 South, Riverton, Utah (13400 South Road Improvement Project)

9:05:01 PM Council Member Roy Tingey **MOVED to approve the Consent Agenda as presented.** Council Member Al Leavitt **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-Excused, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.**

2. STAFF REPORTS

Lance Blackwood, City Manager – Explained that the Safety Training for the month of January will be the required “Harassment Training”.

Safety Training Report - Ryan Carter, City Attorney -Nothing at this time

6. MAYOR/COUNCIL REPORTS

Mayor Bill Applegarth - No Report

Council Member Roy Tingey – No Report

Council Member Sheldon Stewart – excused

1 **Council Member Tracy Thaxton** – No Report

2
3 **Council Member Brent Johnson** – reported

4
5 **Council Member Al Leavitt** – reported

6
7 **7. UPCOMING MEETINGS**

8
9 Mayor Applegarth reviewed the following upcoming meetings:

- 10
11
12 1. Regular City Council Meeting – January 15, 2013 – 6:30 p.m.
13 2. Regular City Council Meeting – February 5, 2013 – 6:30 p.m.

14
15 **8. ADJOURN**

16 9:06:36 PM Council Member Roy Tingey **MOVED to adjourn**. Council Member Al Leavitt
17 **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being
18 none, he called for a vote. The vote was as follows: Johnson-Excused, Leavitt-Yes, Stewart-
19 Excused, Thaxton-Yes and Tingey-Yes. **The motion passed unanimously.** The City Council
20 Meeting adjourned 9:06 p.m.

21 *Virginia Loader*

22
23 **Virginia Loader, MMC**
24 **Recorder**

25
26 **Approved:**
27



Item No. 5.2.1

Issue Paper

Presenter/Submitted By:	G Trace Robinson	
Subject: <u>90 %</u> Bond release for <u>AUTOZONE</u>	Meeting Date: 01/15/2013	
	Fiscal Impact: \$N/A	
	Funding Source: N/A	
Background: Engineering, Public Works and Water Departments have performed the necessary infrastructure inspections for the <u>AUTOZONE</u> and have found the site complete and constructed to Riverton City's standards. All improvements have been constructed and we recommend that approval be given for a <u>90 %</u> release of the bond and that the City accept the improvements.		
Recommendation: It is recommended that approval be given to release <u>90 %</u> of the bond and that the City accept the improvements.		
Recommended Motion: Motion for approval of bond release.		

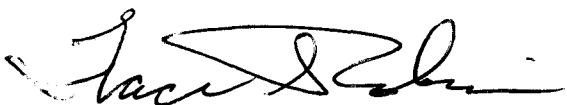
**DESCRIPTION OF SUBDIVISION IMPROVEMENTS COMPLETED
AND THE DOLLAR AMOUNT REQUESTED FOR EACH.**

AUTOZONE Improvement	ORIGINAL BOND AMOUNT 5/10/2012	80% RELEASE DATE	80% RELEASE AMOUNT	90% RELEASE DATE	90% RELEASE AMOUNT	100% RELEASE DATE	100% RELEASE AMOUNT	AMOUNT REMAINING
SEWER	Separate Agreement							
Culinary Water	\$ 10,205.00			1/15/2013	\$ 9,184.50			\$ 1,020.50
Secondary Water	6,527.50			1/15/2013	5,874.75			652.75
Demolition	-			1/15/2013	-			-
Storm Drain	1,129.68			1/15/2013	1,016.71			112.97
Streets	-			1/15/2013	-			-
Sidewalk & Signs	5,503.75			1/15/2013	4,953.38			550.38
Street Lights	6,960.00			1/15/2013	6,264.00			696.00
Fencing & Landscaping	-			1/15/2013	-			-
Record Drawings & GIS	250.00			1/15/2013	225.00			25.00
Other	-			1/15/2013	-			-
								-
								-
								-
								-
								-
Total	\$ 30,575.93		\$ -		\$27,518.34		\$ -	\$ 3,057.59

Total amount of bond release requested: **\$ 27,518.34**

**APPROVAL AND ACCEPTANCE STATUS
OF THE SUBJECT SUBDIVISION IMPROVEMENTS:**

Engineer's Certification: All work described above has been inspected and the above quantities verified. All work appears to have been completed in accordance with Riverton City Subdivision Standards and Specifications.


Public Works Director/ City Engineer

1-9-13
Date

City Inspection Certification: All work described above has been inspected and the appropriate testing requirements have been successfully completed or exceeded.


Water Director's Signature

1-9-13
Date



Item No. 5.2.2

Issue Paper

Presenter/Submitted By:	G Trace Robinson		
Subject: <u>90 % Bond release for RIVERTON MEADOWS LOT 5</u>	Meeting Date: 01/15/2013		
	Fiscal Impact: \$N/A		
	Funding Source: N/A		
Background: Engineering, Public Works and Water Departments have performed the necessary infrastructure inspections for the <u>RIVERTON MEADOWS LOT 5</u> and have found the site complete and constructed to Riverton City's standards. All improvements have been constructed and we recommend that approval be given for a <u>90 %</u> release of the bond and that the City accept the improvements.			
Recommendation: It is recommended that approval be give to release <u>90 %</u> of the bond and that the City accept the improvements.			
Recommended Motion: Motion for approval of bond release.			

**DESCRIPTION OF SUBDIVISION IMPROVEMENTS COMPLETED
AND THE DOLLAR AMOUNT REQUESTED FOR EACH.**

RIVERTON MEADOWS LOT 5 Improvement	ORIGINAL BOND AMOUNT 9/23/2011	80% RELEASE DATE	80% RELEASE AMOUNT	90% RELEASE DATE	90% RELEASE AMOUNT	100% RELEASE DATE	100% RELEASE AMOUNT	AMOUNT REMAINING
SEWER	Separate Agreement							
Culinary Water	\$ 38,236.25			1/15/2013	\$ 34,412.63			\$ 3,823.63
Secondary Water	21,996.25			1/15/2013	19,796.63			2,199.63
Demolition	-			1/15/2013	-			-
Storm Drain	15,775.00			1/15/2013	14,197.50			1,577.50
Streets	-			1/15/2013	-			-
Sidewalk & Signs	-			1/15/2013	-			-
Street Lights	-			1/15/2013	-			-
Fencing & Landscaping	-			1/15/2013	-			-
Record Drawings & GIS	250.00			1/15/2013	225.00			25.00
Other	-			1/15/2013	-			-
								-
								-
								-
								-
								-
Total	\$ 76,257.50		\$ -		\$68,631.75		\$ -	\$ 7,625.75

Total amount of bond release requested: **\$ 68,631.75**

**APPROVAL AND ACCEPTANCE STATUS
OF THE SUBJECT SUBDIVISION IMPROVEMENTS:**

Engineer's Certification: All work described above has been inspected and the above quantities verified. All work appears to have been completed in accordance with Riverton City Subdivision Standards and Specifications.



Public Works Director/ City Engineer

1-2-13

Date

City Inspection Certification: All work described above has been inspected and the appropriate testing requirements have been successfully completed or exceeded.



Water Director's Signature

12-26-12

Date



Item No. 5.2.3

Issue Paper

Presenter/Submitted By:	G Trace Robinson		
Subject: <u>90 %</u> Bond release for <u>TEXAS ROADHOUSE</u>	Meeting Date: 01/15/2013		
	Fiscal Impact: \$N/A		
	Funding Source: N/A		
Background: Engineering, Public Works and Water Departments have performed the necessary infrastructure inspections for the <u>TEXAS ROADHOUSE</u> and have found the site complete and constructed to Riverton City's standards. All improvements have been constructed and we recommend that approval be given for a <u>90 %</u> release of the bond and that the City accept the improvements.			
Recommendation: It is recommended that approval be give to release <u>90 %</u> of the bond and that the City accept the improvements.			
Recommended Motion: Motion for approval of bond release.			

**DESCRIPTION OF SUBDIVISION IMPROVEMENTS COMPLETED
AND THE DOLLAR AMOUNT REQUESTED FOR EACH.**

TEXAS ROADHOUSE Improvement	ORIGINAL BOND AMOUNT 4/18/2012	80% RELEASE DATE	80% RELEASE AMOUNT	90% RELEASE DATE	90% RELEASE AMOUNT	100% RELEASE DATE	100% RELEASE AMOUNT	AMOUNT REMAINING
SEWER	Separate Agreement							
Culinary Water	\$ 35,337.50			1/15/2012	\$ 31,803.75			\$ 3,533.75
Secondary Water	9,172.50			1/15/2012	8,255.25			917.25
Demolition	-			1/15/2012	-			-
Storm Drain	4,975.00			1/15/2012	4,477.50			497.50
Streets	-			1/15/2012	-			-
Sidewalk & Signs	-			1/15/2012	-			-
Fencing & Landscaping	-			1/15/2012	-			-
Record Drawings & GIS	250.00			1/15/2012	225.00			25.00
Other	-							-
								-
								-
								-
								-
								-
								-
								-
Total	\$ 49,735.00		\$ -		\$44,761.50		\$ -	\$ 4,973.50

Total amount of bond release requested: **\$ 44,761.50**

**APPROVAL AND ACCEPTANCE STATUS
OF THE SUBJECT SUBDIVISION IMPROVEMENTS:**

Engineer's Certification: All work described above has been inspected and the above quantities verified. All work appears to have been completed in accordance with Riverton City Subdivision Standards and Specifications.


Public Works Director/ City Engineer

12-13-12
Date

City Inspection Certification: All work described above has been inspected and the appropriate testing requirements have been successfully completed or exceeded.


Water Director's Signature

12-13-12
Date



Item No. 5.2.4

Issue Paper

Presenter/Submitted By:	G Trace Robinson	
Subject: <u>90 % Bond release for WESTERN SPRINGS PHASE 5B</u>	Meeting Date: 01/15/2013	
	Fiscal Impact: \$N/A	
	Funding Source: N/A	
Background: Engineering, Public Works and Water Departments have performed the necessary infrastructure inspections for the WESTERN SPRINGS PHASE 5B and have found the site complete and constructed to Riverton City's standards. All improvements have been constructed and we recommend that approval be given for a <u>90 %</u> release of the bond and that the City accept the improvements.		
Recommendation: It is recommended that approval be given to release <u>90 %</u> of the bond and that the City accept the improvements.		
Recommended Motion: Motion for approval of bond release.		

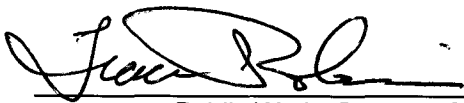
**DESCRIPTION OF SUBDIVISION IMPROVEMENTS COMPLETED
AND THE DOLLAR AMOUNT REQUESTED FOR EACH.**

WESTERN SPRINGS PHASE 5B Improvement	ORIGINAL BOND AMOUNT 8/26/2008	80% RELEASE DATE	80% RELEASE AMOUNT	90% RELEASE DATE	90% RELEASE AMOUNT	100% RELEASE DATE	100% RELEASE AMOUNT	AMOUNT REMAINING
SEWER	Separate Agreement							
Culinary Water	\$ 100,156.25			1/15/2013	\$ 90,140.63			\$ 10,015.63
Secondary Water	88,812.50			1/15/2013	79,931.25			8,881.25
Demolition	-			1/15/2013	-			-
Storm Drain	5,437.50			1/15/2013	4,893.75			543.75
Streets	70,089.25			1/15/2013	63,080.33			7,008.93
Sidewalk & Signs	98,512.50			1/15/2013	88,661.25			9,851.25
Street Lights	20,250.00			1/15/2013	18,225.00			2,025.00
Fencing & Landscaping	-			1/15/2013	-			-
Record Drawings & GIS	13,437.50			1/15/2013	12,093.75			1,343.75
Other	-							-
								-
								-
								-
								-
								-
								-
Total	\$ 396,695.50		\$ -		\$357,025.95		\$ -	\$ 39,669.55

Total amount of bond release requested: **\$ 357,025.95**

**APPROVAL AND ACCEPTANCE STATUS
OF THE SUBJECT SUBDIVISION IMPROVEMENTS:**

Engineer's Certification: All work described above has been inspected and the above quantities verified. All work appears to have been completed in accordance with Riverton City Subdivision Standards and Specifications.

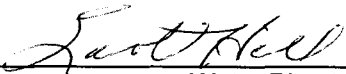


Public Works Director/ City Engineer

1-9-13

Date

City Inspection Certification: All work described above has been inspected and the appropriate testing requirements have been successfully completed or exceeded.



Water Director's Signature

1-9-13

Date



Issue Paper

Item No 5.3

Presenter/Submitted By:	Craig Calvert		
Subject: Request permission to enter into a contract with GBS Benefits, Inc. to provide insurance brokering services.	Meeting Date: January 9, 2013		
	Fiscal Impact:		
	Funding Source:		
Background: The city contracts with an insurance broker to help with the administration regarding benefits and insurance. The broker has been a liaison between insurance providers and the city. The broker also has been involved in reviewing current city policies and procedures for compliance with the Health Insurance Portability and Accountability Act of 1996, and the Patient Protection and Affordable Care Act of 2010. The broker also provides complete COBRA compliance and client/carrier coordination.			
Recommendation: Staff's recommendation is to contract with GBS Benefits, Inc. to provide insurance brokering services.			
Recommended Motion: "I make a motion to approve Resolution # 13-01 allowing the City to contract with GBS Benefits, Inc. to provide insurance brokering services.			

RIVERTON CITY, UTAH
RESOLUTION NO. 13-01

**A RESOLUTION ALLOWING THE CITY TO ENTER INTO A CONTRACT WITH
GBS BENEFITS, INC. TO PROVIDE INSURANCE BROKERING SERVICES.**

WHEREAS, Riverton City is required by ordinance to approve any contract that exceeds \$25,000 in a public meeting; and,

WHEREAS, an insurance broker is needed to assist the city with insurances.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
RIVERTON CITY AS FOLLOWS:**

Section 1. Riverton City approves the execution of the contract with GBS Benefits, Inc. to provide insurance brokering services.

Section 2. This resolution shall become effective upon passing.

PASSED AND ADOPTED by the City Council of Riverton, Utah, this 15th day of January by the following vote:

Council Member Brent Johnson	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Council Member Al Leavitt	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Council Member Sheldon Stewart	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Council Member Tracy Thaxton	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Council Member Roy Tingey	<input type="checkbox"/> Yes	<input type="checkbox"/> No

RIVERTON CITY

William R. Applegarth, Mayor

ATTEST:

Virginia Loader, MMC
City Recorder



Issue Paper

Item No. 5.4

Presenter/Submitted By:	Ryan Carter / Trace Robinson		
Subject: Resolution authorizing the execution of a Delay Agreement with Daniel K. & Gaylene Phister for property located at 1567 West 12800 South.	Meeting Date: 1-15-2013		
	Fiscal Impact: N/A		
	Funding Source: N/A		
Background: The purpose of the Delay Agreement is to allow the owner to postpone the installation of curb, gutter and sidewalk to the property until such time as the City demands that the improvements be completed and installed.			
Recommendation: Staff recommends entering in to a Delay Agreement with Daniel K. & Gaylene Phister for property located at 1567 West 12800 South.			
Recommended Motion: "I move the City Council approve <u>Resolution No13-02</u> authorizing the City to enter into a Delay Agreement with Daniel K. & Gaylene Phister for property located at 1567 West 12800 South."			

RIVERTON CITY, UTAH
RESOLUTION NO. 13-02

**A RESOLUTION AUTHORIZING THE EXECUTION AND RECORDING OF A
DELAY AGREEMENT BETWEEN RIVERTON CITY AND DANIEL K. & GAYLENE
PHISTER FOR PROPERTY LOCATED AT 1567 WEST 12800 SOUTH.**

WHEREAS, Daniel K. and Gaylene Phister, the owners of the property located at 1567 West 12800 South, Riverton, Utah, have executed an agreement entitled, Delay Agreement for Completion of Improvements" (herein the "Agreement"); and

WHEREAS, the purpose for the Agreement is to allow the owner to postpone the installation of certain improvements to the property until such time as the City demands that the improvements be completed and installed; and

WHEREAS, it is deemed to be in the best interest of the citizens of Riverton City to approve and execute the Agreement.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF
RIVERTON CITY AS FOLLOWS:**

1. The Agreement entitled, "Delay Agreement for the Completion of Improvements", executed by Daniel K. and Gaylene Phister, is approved.
2. The Mayor is authorized to execute the Agreement for and in behalf of Riverton City, upon confirmation said Agreement has been approved as to legal form by the Riverton City Attorney.
3. The City Recorder is directed to record the Agreement in the office of the Salt Lake County Recorder.
4. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this ____ day of January 2013 by the following vote:

Council Member Brent Johnson	_____ Yes	_____ No
Council Member Al Leavitt	_____ Yes	_____ No
Council Member Sheldon Stewart	_____ Yes	_____ No
Council Member Tracy Thaxton	_____ Yes	_____ No
Council Member Roy Tingey	_____ Yes	_____ No

RIVERTON CITY

[SEAL]

Bill Applegarth, Mayor

ATTEST:

**Virginia Loader, MMC
Recorder**